

The Ashburton Investments 40th Anniversary Handicap, one mile and 100 yards for horses rated 0-50 held at Les Landes Racecourse, Jersey, on 7 July 2023 (“Race 3”)

The Authority has reviewed the report of the Raceday Stewards of 7 July in relation to Race 3 (the “**Stewards Report**”). The Authority notes the following from the Stewards Report:

“Mr Kukk saddled BROWN MOUSE and CASARUAN with each other’s saddles. The Stewards noted that the horses were carrying the same weight and gave permission for a change of jockeys, as in the fading daylight this would result in less delay than changing saddles. The Stewards also noted that both horses were in the same ownership.”

BROWN MOUSE was placed 5th and CASARUAN placed 2nd.

Requirements under Rule (B) 22 – Weighing out procedure

Rule (B) 22 requires:

- 22.1. The riders for each race must be weighed out in accordance with these Rules.
- 22.2. Each rider must be weighed for a particular horse at the appointed place.
- 22.3. The weighing must take place
 - 22.3.1. not less than a quarter of an hour before the time fixed for the race, or
 - 22.3.2. if this is not possible due to the late running of the preceding race, not more than five minutes after the Clerk of the Scales has weighed in the winner of that race, or
 - 22.3.3. if the Stewards specify a later time under Rule 4.2., by that time.

Rule (B) 4.2 provides:

- 4.2. In exceptional circumstances, the Stewards may
 - 4.2.1. make such variations as they consider appropriate to the arrangements for running any race at the meeting, and
 - 4.2.2. extend the time allowed for
 - 4.2.2.1. verifying the Declaration Sheet under Rule 23,
 - 4.2.2.2. weighing,
 - 4.2.2.3. declaring weight, and
 - 4.2.2.4. exhibiting the numbers.

The Rules of Racing

The requirements of Rule (B) 22 are mandatory and must be followed (22.1). A rider must be weighed out for the horse that they are declared to ride (22.2). It is essential to the integrity of racing that the Clerk of Scales ‘weighs out’ the same rider that they ‘weigh in’ for a particular horse. There is no power for the Raceday Stewards to vary this.

Where a change of rider is authorised, they still need to ‘weigh out’ for the correct horse. This is where the quarter of an hour requirement in Rule (B) 22.3.1 comes from. If a rider cannot present to the scales in that time, then the horse is withdrawn.

The duty of the Raceday Stewards is to ensure that racing is run in accordance with the provisions made by or under the Rules of Racing (Rule (B) 4.1).

The correct action for the Stewards to have taken would have been to order that the horses be tacked up with the correct saddles or else that the horses be withdrawn.

The Authority notes that it was an evening meeting and that there was concern as to light. Whilst this is a valid concern for the orderly conduct of a meeting, it should not have factored into the decision making process for this issue. If any horse could not be re-saddled in a suitable time period (taking into account the light issues) then it should have been withdrawn.

This was only the third race on the card and time caused by a short delay can usually be 'caught up'. In mitigation for the Raceday Stewards, the Authority acknowledges that they are required to take prompt decisions under considerable time pressure. In this case, the mistake was spotted by the riders once already in the parade ring.

Decision

The Authority orders the disqualification of BROWN MOUSE and CASARUAN pursuant to its powers under Rule (A)45.2.3 of the Rules of Racing and confirms the revised result of Race 3 as follows:

1. Allegro Jette
2. Dancing Master
3. Bring The Money
4. Evening Song
5. Mini Mildred
6. Whatzupwithme

The Authority will compensate the connections of CASARUAN for lost prize money due to the Raceday Stewards error accordingly.

Postscript

The nature of racing in a small community like the Channel Islands means that all the protagonists are well known to each other, there are commercial pressures resulting from only having one operating racecourse and it is hard for stakeholders to maintain a professional distance. This has led, on occasion, to the Raceday Stewards showing undue leniency or 'inventiveness' to try to please everybody (including the race going public). That is not the correct approach. The Raceday Stewards are not mediators. They are there to apply and enforce the Rules of Racing in an even and fair handed manner so as to protect and enhance the reputation and integrity of the sport. That often means making decisions which are going to leave one or more stakeholders disappointed.